



# MINUTES

## OCONEE COUNTY COUNCIL

### Regular Meeting

### November 19, 2019

**MEMBERS, OCONEE COUNTY COUNCIL**  
Mr. John Elliott, Chair Pro Tem, District I  
Mr. Paul Cain, Vice Chair, District III  
Mr. Julian Davis III, Chairman, District IV  
Mr. Glenn Hart, District V  
Mr. Wayne McCall, District II

Oconee County Council met at 6:00 PM in Council Chambers, 415 South Pine Street, Walhalla, SC with all Council Members, County Administrator Amanda F. Brock, County Attorney David Root, Katie D. Smith, Clerk to Council present.

**Press:** Pursuant to the Freedom of Information Act, notice of the meeting, date, time, place of meeting and agenda were posted on the bulletin board at the County Administrative Offices, 415 South Pine Street, Walhalla, SC, and the County Council website [[www.oconeesc.com/council](http://www.oconeesc.com/council)]. In addition, it was made available [*upon request*] to the newspapers, radio stations, television stations and concerned citizens.

Members of the press present: Caitlin Herrington / Daily Journal & Jimmy Watt / 94.1 The Lake WSNW.

### **Call to Order:**

Mr. Davis called the meeting to order at 6:01 p.m.

### **Public Comment Session**

Mr. Matt Durham addressed Council regarding the tax increase, purchase of fire trucks, and ADA restrooms.

Mr. Jerry Barnett addressed Council regarding the funds for another CATBus and further noted if public transportation is going to be provided, it needs to be cost effective. He also thanked Ms. Brock for her work regarding Solid Waste.

Mr. John Eagar addressed Council regarding concerns of mid-rise wood frame construction.

Mr. Derek Hodgin, President of Construction Sciences & Engineering, addressed Council utilizing a presentation [copy filed with backup materials] regarding mid-rise wood frame construction.

### **County Council Response to Public Comment**

Mr. Elliott thanked Mr. Eagar and Mr. Hodgin for their comments and share their concern.

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Mr. McCall responded to Mr. Eager & Mr. Hodgin's comments thanking them for coming forward and also agree with Mr. Elliott's comments.

### **Moment of Silence**

Mr. Davis asked for a moment of silence prior to the Invocation by the County Chaplain.

### **Invocation by County Council Chaplain:**

Mr. Root, County Council Chaplain, gave the invocation.

### **Pledge of Allegiance:**

Mr. Hart led the Pledge of Allegiance to the Flag of the United States of America.

### **Approval of Minutes**

Mr. Cain made a motion, seconded by Mr. Hart, approved 5 – 0 to approve the October 15, 2019 Regular Minutes as presented.

### **Administrator's Comments**

Ms. Brock briefly updated Council regarding the following:

- Rock Quarry equipment that was purchased over a year ago is up and running
- Construction has been completed on the office for the security officer/deputy for Pine Street and a candidate has been selected for this position
- Grant award from the FAA and the SC Aeronautics Commission
- Demo and Donuts on Friday, November 1, 2019 at the Westminster Magistrate's Office
- First Annual Veteran's Day Cookout after the Veteran's Day parade

### **Public Hearings for the Following Ordinances**

None at this meeting.

### **Third Reading of the Following Ordinances**

None at this meeting.

### **Second Reading of the Following Ordinances**

None at this meeting.

### **First Reading for the Following Ordinances**

**Ordinance 2019-23** "AN ORDINANCE AUTHORIZING THE EXECUTION AND DELIVERY OF AN INFRASTRUCTURE TAX CREDIT AGREEMENT BETWEEN OCONEE COUNTY, SOUTH CAROLINA AND TECHNOLOGY SOLUTIONS OF SC INC.; AND OTHER MATTERS RELATING THERETO."

Mr. Cain made a motion, seconded by Mr. Elliott, approved 5 – 0, to approve **Ordinance 2019-23** on first reading.

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**Ordinance 2019-24** “AN ORDINANCE AUTHORIZING THE COUNTY ADMINISTRATOR TO ENTER INTO ADDENDA FOR LEASE AGREEMENTS TO WHICH THE COUNTY IS A PARTY, PROVIDING FOR ALTERNATE COMPREHENSIVE GENERAL LIABILITY INSURANCE REQUIREMENTS; AND OTHER MATTERS RELATED THERETO.”

Mr. Cain made a motion, seconded by Mr. Elliott, to approve **Ordinance 2019-24** on first reading.

Discussion continued to include:

- Leases
- Requirement for liability limits
- Lessee have general liability
- Ordinance would be removing the umbrella policy and would save non-profit entity funds and would bring them back under their lease requirements

Regarding the previous motion made by Mr. Cain, seconded by Mr. Elliot, it was approved 5 – 0, to approve **Ordinance 2109-24** on first reading.

### **First & Final Reading of the Following Resolutions**

None at this meeting.

### **Discussion Regarding Action Items**

#### **New Electrical Service for Mobile Mine Duty Crushing Plant /**

**Rock Quarry/ Amount: Project: \$261,800.00**

**10% Contingency: \$ 26,180.00**

**Total Award: \$287,980.00**

On June 19, 2018, Council approved the award / purchase of a new mobile mine duty crushing plant. The new mobile mine duty crushing plant will produce the quantity of product needed to meet demand. That plant consists of eight (8) components - one (1) jaw crusher (UJ640), one (1) primary cone crusher (US550E), one (1) tertiary cone crusher (UH550E), two (2) screen decks (QA441), three (3) mobile stackers (Trackstack 8042TSL) and multiple conveyor belts. These components are designed to be powered by electricity or diesel for maximum efficiency. An upgrade of the electrical system is required to support the new machines. Blue Ridge Electric, Coop is the power supplier and they have completed the supply lines to provide the required voltage to support the load of the new plant.

This project consists of furnishing all labor, materials and equipment for the new electrical service and switch.

On October 29, 2019, formal sealed bids were opened. Fifteen (15) companies were originally notified of this bid opportunity. Two (2) companies submitted no bids. Four (4) companies submitted bids with two (2) being rejected. MSW Electrical Contractors, located in Anderson, SC, submitted the lowest responsible

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responsive bid in the amount of \$261,800.00. A 10% contingency (\$26,180.00) is requested to account for any unforeseen items that may arise.

It is the staff's recommendation that Council [1] approve the award of ITB 19-04 New Electrical Service for Mobile Mine Duty Crushing Plant to MSW Electrical Contractors of Anderson, SC in the amount of \$261,800.00 plus contingency in the amount of \$26,180.00 for a total award of \$287,980.00 and [2] authorize the County Administrator to execute documents for this project and sign any change orders within the contingency amount.

Mr. Hart made a motion, seconded by Mr. Cain, approved 5 – 0, to [1] approve the award of ITB 19-04 New Electrical Service for Mobile Mine Duty Crushing Plant to MSW Electrical Contractors of Anderson, SC in the amount of \$261,800.00 plus contingency in the amount of \$26,180.00 for a total award of \$287,980.00 and [2] authorize the County Administrator to execute documents for this project and sign any change orders within the contingency amount.

### **Michelin Tires from State Contract / Vehicle Maintenance / \$40,000.00**

**Budget:** \$40,000.00 / **Project Cost:** \$40,000.00 / **Balance:** \$0.00

In August of 2014, Council approved the purchase of Goodyear tires as needed from Super Service Tire and Alignment of Walhalla, SC, for an estimated amount of \$90,000.00 for FY 2014-2015 through FY 2019-2020. On November 5, 2019 the SC Materials Management Office advised the County that Super Service of Walhalla, SC was added to the distributor list for Michelin Tires, State Contract Number(s)\_Michelin #4400012720 and Super Service #4400022786. Vehicle Maintenance has budgeted an estimated \$40,000.00 for the purchase of Michelin Branded Tires for FY 19-20 making the total estimated amount spent with Super Service of Walhalla \$130,000.00. Vehicle Maintenance purchases tires as needed for County vehicles such as, but not limited to police pursuit tires for law enforcement vehicles, auto radial for passenger vehicles and light/medium radial for trucks. Staff is requesting Council approve the award of Michelin Branded Tires to Super Service of Walhalla in the amount not to exceed \$40,000.00.

It is the staff's recommendation that Council approve the purchase of Michelin tires as needed from Super Service Tire & Alignment of Walhalla, SC in the amount not to exceed \$40,000 for fiscal year 2019-2020.

Mr. McCall made a motion, seconded by Mr. Hart, approved 5 – 0, to approve the purchase of Michelin tires as needed from Super Service Tire & Alignment of Walhalla, SC in the amount not to exceed \$40,000 for fiscal year 2019-2020.

### **911 Server Environment Upgrade / Communications / \$126,490.35**

**Budget:** \$126,500.00 / **Project Cost:** \$126,490.35 / **Balance:** \$9.65

This proposed upgrade provides version and security updates for the Windows server operating system, as well as, hardware upgrades for the core server environment powering the Oconee County 911 center. The current version of the Windows server operating system is scheduled for end-of-life in January 2020; this upgrade is vital to the security of the Public Safety Answering Point (PSAP) network. Additionally, the

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upgrade provides new hardware to replace the aging physical servers currently in use.

It is the staff's recommendation that Council approve the purchase of the 911 Server Environment Upgrade from CDW-G of Vernon Hills, IL in the amount of \$126,490.35.

Mr. Cain made a motion, seconded by Mr. Elliott, approved 5 – 0, to approve the purchase of the 911 Server Environment Upgrade from CDW-G of Vernon Hills, IL in the amount of \$126,490.35.

## **Six (6) Pumper Fire Trucks with Loose Equipment / Emergency Services / \$2,043,241.00**

**Budget:** \$2,300,000.00 / **Project Cost:** \$2,043,241.00 / **Balance:** \$256,759.00

These Fire Trucks are Pierce Pumpers built on Freightliner M2-106 two door cab and chassis with Cummins L9 350 HP Diesel engines, Allison EVS 3000 automatic transmissions, Waterous CSU 1250 pumps, UPF 1000 gallon tanks, Whelen LED lighting and will include loose equipment. These apparatuses will be built in accordance to NFPA (National Fire Protection Association). We will be purchasing ~~One (1)~~ **Five (5)** Side Mount Pumpers at ~~\$1,692,880.00~~ (\$338,576.00 each) ~~\$338,576.00~~ and ~~Five (5)~~ **One (1)** Top Mount Pumper at ~~\$1,704,665.00~~ **\$340,933.00**.

It is the staff's recommendation that Council approve the award of Six Pumper Fire Trucks to Spartan Fire and Emergency Apparatus of Roebuck, SC in the amount of \$2,043,241.00.

Mr. Cain made a motion, seconded by Mr. Elliott, to approve the award of Six Pumper Fire Trucks to Spartan Fire and Emergency Apparatus of Roebuck, SC in the amount of \$2,043,241.00.

Per Mr. Davis, Chief Charlie King addressed Council and corrected the quantity of trucks during the meeting prior to the vote, shifting the number of trucks, which is indicated above in red. He noted what is being purchased is six replacement engines, three trucks that were budgeted for last year and three additional for this year that have reached their 25-year mark of service. These trucks will be going to volunteer fire stations with the exception of one, which will be provided to Walhalla. Discussion continued.

Ms. Brock thanked the Fire Commission and Chairman Bo Horne and also to Chief King for helping to collect the information and data needed to create the Emergency Services Capital and Equipment Replacement Plan. Discussion continued to include replacement trucks, capital costs, and investment at a very low interest rate.

Regarding the previous motion made by Mr. Cain, seconded by Mr. Elliott, it was approved 5 – 0, to approve the award of Six Pumper Fire Trucks to Spartan Fire and Emergency Apparatus of Roebuck, SC in the amount of \$2,043,241.00.

## **Council consideration and approval of adding a full time position for a Life After Lockup participant, when he is released from Oconee County Detention Center**

The inmate came to the OCDC on 01/25/19 from SCDOC as part of the designated facilities agreement

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between the Oconee County Detention Center and SC. Department of Corrections. He was assigned in house janitorial duties. We soon realized that he had a lot of knowledge and training in HVAC and refrigeration from his life outside the prison system. He began working not only on the Detention Center HVAC system but also the Sheriff's Office. He has saved the Department numerous service fees on our air conditioning and most of our kitchen equipment over the past summer. We calculated our expenses just for the labor that we saved from having him do the work. The amount saved has been so far this year has been a total of \$13,824.00.

It is staff's recommendation that Council approve this request for Oconee County from the Sheriff's Life After Lockup Program.

Mr. McCall made a motion, seconded by Mr. Elliott, approved 5 – 0, for Council to approve this request for Oconee County from the Sheriff's Life After Lockup Program.

### **Council approval to allocate matching funding not to exceed \$300,000 to the City of Seneca / Oconee County Electric Bus Expansion Project Grant No. SC-2018-018-00**

In 2016, the City of Seneca applied for a Low or No Emission Program with the DOT/Federal Transit Administration. They received \$1,450,000 Federal Funds and the local match of \$500,000 for a total project cost of \$1,950,000. Oconee County provided a commitment letter of \$300,000 towards the matching dollars in April 2016. Due to delays in production, the requirement for allocating funding was not necessary at the time of approval. The matching funding has been included in, and approved in the Oconee County FY2019-2020 budget. This match is for the purchase of two 35-foot Proterra Catalyst Buses.

It is staff's recommendation to approve the allocation of matching funds in an amount not to exceed \$300,000.

Mr. Hart made a motion, seconded by Mr. Elliott, approved 5 – 0, to postpone the allocation of matching funds in an amount not to exceed \$300,000.

### **Request Council approval for funding allocation in the amount of \$3,000 for Golden Corner Food Pantry**

*Documentation for Golden Corner Food Pantry in backup materials*

The mission of the food pantry is to provide emergency and supplemental food to the disadvantaged and low-income residents of Oconee County. In 2018, the Golden Corner Food Pantry served an average of 1,139 households and 2,253 individuals per month through our Daily and Senior Programs, providing about 1.2 million pounds of food. We were also able to assist 850 households with nearly 1,000 requests for help other than food through our Make Life Better program. These requests included help with clothing, employment, utilities, and health care. Funds will be used to purchase food from the Golden Harvest Food Bank and local grocery stores for distribution to disadvantaged and low-income families and seniors in our community.

Mr. McCall made a motion, seconded by Mr. Elliott, approved 5 – 0, to approve the funding allocation in the

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amount of \$3,000 for Golden Corner Food Pantry.

## **Board & Commission Appointments**

### **Building Codes Appeal Board**

No questionnaires were submitted for the 1 At Large seat.

### **Arts & Historical Commission**

No questionnaires were submitted for the District III seat.

## **Unfinished Business**

None at this meeting.

## **New Business**

None at this meeting.

## **Executive Session:**

Mr. Hart made a motion, seconded by Mr. McCall, approved 5 – 0, to enter into Executive Session for the following purposes, as allowed for in § 30-4-70(a) of the South Carolina Code of Laws:

*[1] Discussion regarding an Economic Development matter, Project Aztec.*

*[2] Discussion regarding an Economic Development matter, Project Bolt.*

~~*—Discussion regarding an Economic Development matter, Project Zeta 2.*~~

*[3] Discussion regarding an Economic Development matter, Project Anvil.*

*[4] Discussion regarding an Economic Development matter, Project Trout.*

*[5] Discussion regarding an Economic Development matter, Project Blue Bell.*

*[6] Receive legal advice and discuss opioid litigation.*

*[7] Discussion regarding personnel matters related to the Auditor, Delinquent Tax, and Treasurer's Offices.*

Council entered Executive Session at 6:42 p.m.

Council returned from Executive Session at 7:32 p.m. on a motion made by Mr. McCall, seconded by Mr. Hart, approved 5 – 0.

Mr. Davis stated that no action was taken in Executive Session.

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## **First & Final Reading for the Following Resolutions**

**Resolution 2019-21** “A RESOLUTION TO OPT OUT OF THE NATIONWIDE CLASS CERTIFIED FOR NEGOTIATION PURPOSES IN *IN RE NATIONAL PRESCRIPTION OPIATE LITIGATION*, MDL 2804.”

Mr. McCall made a motion, seconded by Mr. Elliott, approved 5 – 0, to approve **Resolution 2019-21** to opt out was approved on first & final reading.

### **OR**

**Resolution 2019-21** “A RESOLUTION TO REMAIN IN TO THE NATIONWIDE CLASS CERTIFIED FOR NEGOTIATION PURPOSES IN *IN RE NATIONAL PRESCRIPTION OPIATE LITIGATION*, MDL 2804.”

The Resolution 2019-21 to remain in was not needed and was not discussed.

## **Discussion Regarding Action Items**

**Authorize the County Administrator to execute and deliver a purchase and sale agreement on behalf of Oconee County in relation to Project Aztec**

Council did not discuss this matter as it was not necessary.

**Authorize County Administrator to execute and deliver a letter of support in relation to Project Bolt**

Mr. Hart made a motion, seconded by Mr. Cain, approved 5 – 0, to authorize the County Administrator to execute and deliver a letter of support in relation to Project Bolt.

## **Adjourn:**

Mr. Cain made a motion, approved unanimously, to adjourn at 7:34 p.m.

Respectfully Submitted:

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Katie D. Smith  
Clerk to Council

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